

Serial No.: 09/904,965
Docket No.: 40655.2200

REMARKS

Applicants reply to the Office Action dated November 16, 2005 within the shortened statutory period for reply. Claims 1-6, 8, 10-14, 16-25, 27, and 28 were pending in the application.

The Examiner has asserted a Restriction Requirement under 35 U.S.C. § 121 requiring restriction of the application in the following Groups:

- I. claims 1-10 and 17-22 (method of allocating fees)
- II. claims 11-14 and 16 (fee allocation system)
- III. claims 23-25 and 27-28 (method for receiving a fee billing)

Applicants respectfully submit that examination of all currently pending claims would not pose an undue burden on the Examiner. Section 803 of The Manual of Patent Examining Procedure states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." Applicants therefore respectfully request examination of all currently pending claims.

However, Applicants hereby elect Group I, consisting of Claims 1-10 and 17-22, for prosecution in this application. As such, Applicants cancel claims 11-14, 16, 23-25, 27, and 28. Applicants do not traverse, but do not acquiesce to the Examiner's foundation for the Restriction Requirement as set forth in the Office Action. Accordingly, the foregoing election is made without waiver, estoppel or without prejudice to the filing of one or more related applications directed to the subject matter of the canceled claims.

The foregoing amendment conforms this application to the Examiner's Restriction Requirement dated November 16, 2005. Applicants submit that the application is now in condition for examination on the merits. Should the Examiner have any suggestions to place the application in even better condition for allowance, Applicants request that the Examiner contact the undersigned representative at the telephone number listed below. No new matter is added in this Reply. Reconsideration of the application is thus requested. Applicants authorize and

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respectfully request that any fees due be charged to Deposit Account No. 19-2814, including any required extension fees.

Respectfully submitted,



Dated: November 23, 2005

Howard Sobelman
Reg. No. 39,038

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